

1165.0027

TRADEMARK

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Morris National, Inc.	)	Opposition No. <u>91152111</u>
	)	
Opposer,	)	Mark: <b>THIN MINTS</b>
	)	
v.	)	Serial No.: 76/253,979
	)	
LifeMax, LLC	)	Filing Date: May 8, 2001
	)	
Applicant,	)	Published: June 4, 2002
	)	

MOTION FOR EXTENSION OF TIME TO ANSWER NOTICE OF OPPOSITION

LifeMax, LLC, a corporation duly organized and existing under the laws of Ohio, having its principle place of business at 251 West Garfield Road, Suite 200, Aurora, Ohio 44202, is the Applicant for the mark **THIN MINTS**, Serial No. 76/253,979. The Notice of Opposition was mailed on July 19, 2002. Therefore, the deadline for Applicant's answer to the Notice of Opposition is August 28, 2002.


On August 28, 2002, the undersigned contacted Thomas I. Rozsa, Esq. counsel for the Opposer. Mr. Rozsa agreed to extend the time to answer for an additional thirty days. Mr. Rozsa also agreed to extend all discovery and testimony periods for thirty days. On September 26, 2002, the undersigned contacted Mr. Rozsa again, and his office agreed to extend the time to answer for an additional thirty days. On October 25, 2002, the undersigned contacted Mr. Rozsa again, and he agreed to extend the time to answer, and all other dates, for an additional thirty days. On November 26, 2002, the undersigned contacted Mr. Rozsa again, and his office agreed to extend the time to answer for an additional thirty days. The new deadline for Applicant to answer the Notice of Opposition will therefore be December 26, 2002. The remaining new time periods are as follows: Discovery period to close June 4, 2003; 30-day testimony period for party

in position of plaintiff to close September 2, 2003; 30-day testimony period for party in position of defendant to close November 2, 2003; and 15-day rebuttal testimony period for plaintiff to close December 16, 2003.

The undersigned respectfully requests that the TTAB grant the Motion to Extend Time, as the Opposer has stipulated to the extension.

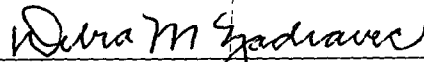
Respectfully submitted,  
**LifeMax, LLC**  
By its Attorney,

Date: November 26, 2002

  
Daniel A. Thomson, Esq.  
EMERSON & SKERIOTIS  
One Cascade Plaza, Fourteenth Floor  
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**CERTIFICATION UNDER 37 CFR 1.10**

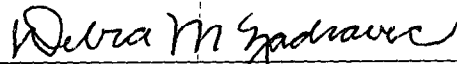
I hereby certify that this MOTION FOR EXTENSION OF TIME TO ANSWER NOTICE OF OPPOSITION and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this date November 26, 2002 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EV 158451 477 US addressed to the Assistant Commissioner for Trademarks, Box TTAB NO FEE, 2900 Crystal Drive, Arlington, VA 22202-3513

  
Debra M. Zadravec

**CERTIFICATE OF SERVICE**

I hereby certify that on this 26<sup>th</sup> day of November, 2002, a true copy of the foregoing MOTION FOR EXTENSION OF TIME TO ANSWER NOTICE OF OPPOSITION was served by first-class mail, postage prepaid, upon counsel for Opposer:

Thomas I Rozsa, Esq.  
Rozsa & Chen LLP  
15910 Ventura Boulevard  
Suite 1601  
Encino, California 91436

  
Debra M. Zadravec